IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

Bail Appl..No. 343 of 2007()

Crime No.373/06 of Mukkom Police Station

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: PETITIONERS/ACCUSED:

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1. ABDURAHIMAN. K., S/O.MOIDEEN,
   AGED 47 YEARS, KOODAMPOYIL HOUSE,
   KARASSERY P.O., KAKKAD AMSOM,
   KARASSERY DESOM, KOZHIKODE TALUK.

2. AKSAD RAHIMAN, S/O.ABDURAHIMAN,
   AGED 24 YEARS, KOODAMPOYIL HOUSE,
   KARASSERY P.O., KAKKAD AMSOM,
   KARASSERY DESOM, KOZHIKODE TALUK.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA, REPRESENTED
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.343 of 2007

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Dated this the 22nd day of January, 2007.

ORDER

Petitioners, who are father and son and accused Nos. 1 and 2 in Crime No.373 of 2006 of Mukkom Police Station for offences punishable under Sections 324 and 308 read with Section 34 I.P.C., seek anticipatory bail.

2. The occurrence took place at about 6.15 p.m. on 10.12.2006. The weapons used are chopper and iron rod. The de facto complainant, who is a neighbour, his wife, daughter and son-in-law are injured in this case.

3. The learned Public Prosecutor opposed the application.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to give the petitioners an opportunity to surrender before the Investigating Officer for interrogation and then to have their application for regular bail considered by the Magistrate concerned expeditiously. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 23.1.2007 and 25.1.2007 for the purpose

of custodial interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same date on which it is filed.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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